

# ● PRINTER RUSH ●

(PTO ASSISTANCE)

EFW

Application : <u>09/801548</u>	Examiner : <u>IRAN</u>	GAU : <u>2685</u>
From : <u>OF</u>	Location : <u>IDC</u> FMF FDC	Date : <u>8-2-05</u>

Tracking #: EPV12  
09/801548      Week Date: 6-20-05

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REV 10/04

called Myers

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**Facsimile**

<b>To</b> 1. Examiner Pablo Tran	<b>Company</b> USPTO - GAU 2685 Re: 09/801,548 Confirmation No. 5714	<b>Fax Number</b> 1-703.746.6830	<b>Phone Number</b>
<b>Date</b> 09/14/2005	<b>Chen/Matter Number</b> FUJS 18.380 (100794-11627)		
<b>From</b> Brian S. Myers	<b>Attorney Email Address</b> Brian.myers@kattenlaw.com		
<b>Phone</b> 212.940.8703	<b>Fax</b> 212.940.8986		
<b>Total number of pages, including cover letter: 17</b> <b>If you do not receive all of the pages, please call: 212.940.8800</b>			

**Comments****\*\* EXPEDITED PROCEDURE \*\*****Enclosed:**

1 page - Transmittal Form  
1 page - PETITION FOR EXTENSION OF TIME (IN DUPLICATE)  
13 pages - AMENDMENT

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/801,548
	Filing Date	03/08/2001
	First Named Inventor	Tadashi Takaba et al.
	Art Unit	2685
	Examiner Name	Pablo Tran
Total Number of Pages in This Submission	Attorney Docket Number	FUJS 18,380

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Retund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below)
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Katten Muchin Zavis Rosenman
Signature	<i>Brandi Franklin</i>
Date	February 2, 2005

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Brandi Franklin		
Signature	<i>Brandi Franklin</i>	Date	2/2/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)** Docket Number (Optional) **FUJS 18.380**

In re Application of	
Application Number <b>09/801,548</b>	Filed <b>3/8/2001</b>
For <b>Multimedia Signal Processing Apparatus</b>	
Art Unit <b>2685</b>	Examiner <b>P. TRAN</b>

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ <u>120.00</u>
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is \$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1290

I have enclosed a duplicate copy of this sheet

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/98).

☒ attorney or agent of record. Registration Number 46947

☐ attorney or agent under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

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February 2, 2005 Date

Brian S. Myers Signature

(212) 940-8800 Telephone Number

Brian S. Myers Typed or Printed Name

NOTE: Signatures of all the inventors or assignees of record of the entire interest, or their representatives are required. Submit multiple forms if more than one signature is required. See OED-01.

Total of 1 forms are submitted.

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<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) <b>FUJS 18.380</b>
<h1 style="font-size: 4em; margin: 0;">COPY</h1>		
In re Application of		
Application Number <b>09/801,548</b>	Filed <b>3/8/2001</b>	
For <b>Multimedia Signal Processing Apparatus</b>		
Art Unit <b>2685</b>	Examiner <b>P. TRAN</b>	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ <u>120.00</u>
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ _____

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card Form PTO-2038 is attached

☐ The Director has already been authorized to charge fees in this application to a Deposit Account

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1290

I have enclosed a duplicate copy of this sheet

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(p) is enclosed (Form PTO/SB/96)

☒ attorney or agent of record Registration Number 46947

☐ attorney or agent under 37 CFR 1.34(a)  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_

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February 2, 2005                      Brian S. Myers  
 Date    Signature

(212) 940-8800                      Brian S. Myers  
 Telephone Number                      Typed or Printed Name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

Total of 1 forms are submitted.

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FUJIS 18.360  
09/801,548

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tadashi Takaba et al.

Serial No.: 09/801,548

Group Art Unit: 2685

Filed: 3/8/2001

Examiner: Pablo Tran

Title: Multimedia Signal Processing Apparatus

AMENDMENT

MS Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the outstanding office action of 10/4/2004, please amend the above-identified application as follows:

PUJS 18.380  
09/801.548

In the Drawings:

None

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Q9/801,548

In the Specification:

None



In the Claims:

Please amend the claims as follows:

1. (presently amended) A multimedia signal processing apparatus comprising:

a plurality of communication service unit-units each having a plurality of types of signal processing modes corresponding to a plurality of types of communication service classifications;

communication service classification identifying means for identifying, on the basis of signal processing request information on one call communicated ~~from a higher rank node~~, a communication service classification for said call; and

mode control means for controlling a signal processing mode of said communication service unit which has been set the other signal processing mode to a mode suitable for the communication service classification identified in said communication service classification identifying means based on the number of call for a communication service classification identified by said communication service classification identifying means.

2. (original) A multimedia signal processing apparatus according to claim 1, wherein said mode control means comprises external indication type mode control section for controlling said signal processing mode of said communication service unit in accordance with a mode setting instruction from an external device.

3. (original) A multimedia signal processing apparatus according to claim 1, wherein said mode control means includes.

history information managing section for managing history information on mode control implemented in the past; and

prediction type mode control section for predictively controlling said signal processing

mode of said communication service unit on the basis of said history information.

4. (original) A multimedia signal processing apparatus according to claim 3, wherein said prediction type mode control section includes time factor mode controller for controlling said mode of said communication service unit to a mode corresponding to mode setting information at a specified time on the basis of time information based on said history information and said mode setting information.

5. (original) A multimedia signal processing apparatus according to claim 1, wherein said communication service unit includes:

storage means for storing a plurality of types of communication service control programs corresponding to said plurality of types of communication service classifications; and

mode selection control means for controlling its own signal processing mode by loading selectively with a corresponding communication service control program from said storage means in accordance with a signal processing mode control indication from said mode control means.

6. (original) A multimedia signal processing apparatus according to claim 2, wherein said communication service unit includes:

storage means for storing a plurality of types of communication service control programs corresponding to said plurality of types of communication service classifications; and

mode selection control means for controlling its own signal processing mode by loading selectively with a corresponding communication service control program from said storage means in accordance with a signal processing mode control indication from said mode control

means.

7. (original) A multimedia signal processing apparatus according to claim 3, wherein said communication service unit includes:

storage means for storing a plurality of types of communication service control programs corresponding to said plurality of types of communication service classifications; and

mode selection control means for controlling its own signal processing mode by loading selectively with a corresponding communication service control program from said storage means in accordance with a signal processing mode control indication from said mode control means.

8. (original) A multimedia signal processing apparatus according to claim 4, wherein said communication service unit includes:

storage means for storing a plurality of types of communication service control programs corresponding to said plurality of types of communication service classifications; and

mode selection control means for controlling its own signal processing mode by loading selectively with a corresponding communication service control program from said storage means in accordance with a signal processing mode control indication from said mode control means

9 (newly added) A multimedia signal processing apparatus comprising:

a plurality of communication service units each having a plurality of types of signal processing modes corresponding to a plurality of types of communication service classifications; and

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control means for controlling the number of assigning of said communication service units, based on the number of call for a specific communication service classification, by changing signal processing mode of one or more of communication service units to a mode suitable for said communication service classification.

### REMARKS

This amendment is in response to the Examiner's Office Action dated 10/4/2004. Reconsideration of this application is respectfully requested in view of the foregoing amendment and the remarks that follow.

### STATUS OF CLAIMS

Claims 1-8 are pending.

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Parker (USP 6603755).

Claims 3, 4, 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker in view of Shaffer et al. (USP 6119006).

### OVERVIEW OF CLAIMED INVENTION

The present invention provides for a multimedia signal processing apparatus comprising a plurality of communication service units and a control means. Each communication service unit has a plurality of types of signal processing modes corresponding to a plurality of types of communication service classifications and the control means controls the number of assigning of said communication service units, based on the number of call for a specific communication service classification, by changing signal processing mode of one or more of communication service units to a mode suitable for said communication service classification.

The presently claimed invention also provides for a multimedia signal processing apparatus comprising a plurality of communication service units, a communication service

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classification identifying means, and mode control means. Each communication service unit has a plurality of types of signal processing modes corresponding to a plurality of types of communication service classifications wherein the communication service classification identifying means identifies, on the basis of signal processing request information on one call communicated, a communication service classification for the call. The mode control means controls a signal processing mode of said communication service unit which has set the other signal processing mode to a mode suitable for the communication service classification identified in said communication service classification identifying means based on the number of calls for a communication service classification identified by said communication service classification identifying means.

#### In the Claims

Claim 1 has been amended for clarification purposes without adding new material. Claim 9 has been newly added via the current amendment without adding new material. Support for newly added claim 9 can be found in previously filed claim 1 and pages 5-9 of the application-as-filed.

#### REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Parker (USP 6,603,755), hereafter Parker. To be properly rejected under 35 U.S.C. § 102(e), each and every element of the claims must be disclosed in a single cited reference. The applicant, however, contends that the presently claimed invention cannot be anticipated in view of the Parker reference.

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The examiner cites figures 7-8 and column 2, line 40 – column 3, line 21 of the Parker reference as providing all the limitations of independent claim 1. A closer reading of the citations and the Parker reference in its entirety merely teach an improved mobile terminal and computer program product/method for improving the selection of a communication service provider in a multi-mode environment. Specifically, the Parker reference teaches a method of selecting a communication service provider in a multi-mode environment, wherein the method comprises the steps of: selecting a first service provider, classifying the selected service provider, selecting an alternate service provider for an alternate communication mode, and ranking communication modes and assigning a highest ranking to a communication mode that was last established.

Independent claims 1 and 9, on the other hand, teach a multimedia apparatus having communication service units equipped with a plurality of types of signal processing modes corresponding to a plurality of types of communication service classifications. Specifically, claim 1 teaches a mode control means for controlling a signal processing mode of a communication service unit which has been set to another signal processing mode to a mode suitable for the communication service classification identified in the communication service classification identification means based on the number of calls for a communication service classification identified by the communication service classification identifying means, a teaching that is conspicuously absent in the Parker reference. Applicants further contend that the Parker reference fails to render obvious independent claim 1's limitation of the mode control means.

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Additionally, claim 9 teaches a control means to control the number of assigning of said communication service units, based on the number of calls for a specific communication service classification, by changing signal processing mode of one or more of communication service units to a mode suitable for said communication service classification, another limitation that is conspicuously absent in the Parker reference. Applicants further contend that the Parker reference fails to render obvious independent claim 9's limitation of the control means.

Hence, applicants contend that independent claims 1 and 9 are neither anticipated nor rendered obvious by the Parker reference.

Applicants wish to state that the arguments presented above with respect to independent claims 1 and 9 substantially apply to dependent claims 2 and 5-6 as they inherit the limitations of the claims from which they depend. Hence, applicants contend that dependent claims 2 and 5-6 are neither anticipated nor rendered obvious by the Parker reference.

#### REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 3, 4, 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker in view of Shaffer et al. (USP 6,119,006). To be properly rejected under 35 U.S.C. § 103(a), each and every element of the claims must be addressed through known prior art or be recognized as an obvious variation thereof. Applicants contend that the combination of the Parker and Shaffer references fail to provide many of the limitations of applicants' pending claims.



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It should be noted that the above mentioned arguments with respect to independent claim 1 and the Parker reference substantially apply to dependent claims 3, 4, 7 and 8 as they inherit the limitations of independent claim 1.

The examiner cites column 2, line 38 – column 3, line 16 of the Shaffer reference in combination with the Parker reference as providing the limitations of claims 3, 4, 7, and 8. A closer reading of the citations and the Shaffer reference in its entirety merely teach a system and method wherein a user's access pattern is accounted for in a decision to switch between a private and a public network. Specifically, Shaffer's method teaches the steps of compiling a database of past time location associations within a first and second overlapping region, detecting if a wireless device is located within the overlapping region, predicting a future location of the wireless device, and transferring to another communication network in the overlapping region based on the prediction. Shaffer in combination with Parker, however, fails to teach a mode control means (with the limitation of claim 1) with the additional limitation of a prediction type mode control section for predictively controlling the signal processing mode of the communication service unit on the basis of history information.

Applicants therefore contend that the Shaffer and Parker references fail to render obvious many limitations of dependent claim 3.

Applicants wish to state that the arguments presented above with respect to dependent claim 3 substantially apply to dependent claims 4 and 7-8 as they inherit the limitations of the claims from which they depend. Hence, applicants contend that dependent claims 4 and 7-8 are neither anticipated nor rendered obvious by the combination of Shaffer and Parker references.

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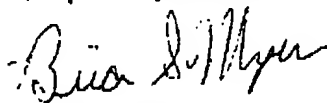
SUMMARY

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of applicant's presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

This Amendment is being filed with an Extension of Time for one month. The Commissioner is hereby authorized to charge the petition fee, as well as any deficiencies in the fees provided to Deposit Account No. 50-1290.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact applicant's representative at the below number.

Respectfully submitted,



Brian S. Myers  
Registration No 46,947

575 Madison Ave  
New York, NY 10022  
(212) 940-8800  
February 2, 2005